

Order

Michigan Supreme Court
Lansing, Michigan

October 27, 2008

Clifford W. Taylor,
Chief Justice

136980

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 136980
COA: 285203
Genesee CC: 07-020307-FH

JAMES MICHAEL HOUCK,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the June 5, 2008 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, of whether Offense Variable 9, MCL 777.39, and Offense Variable 10, MCL 777.40, were properly scored under the facts of this case. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 27, 2008

Corbin R. Davis

Clerk